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SUBJECT: NIGERIA: ANPP OFFICIAL ON PRESIDENTIAL TRIBUNAL
SCENARIOS, INTERNAL PARTY POLITICS

REF: ABUJA 2339

Classified By: Political Counselor Walter N.S. Pflaumer for reasons 1.4
. (b & d).

11. (C) SUMMARY. Poloff met with Sule Hama (strictly protect), All Nigerian Peoples' Party (ANPP) Presidential Campaign Council Director General, on November 28 to discuss the pending Supreme Court decision on ANPP candidate General Mohamadu Buhari's election tribunal appeal and reports of dissention within the ANPP. Hama believed the "best option" for the Supreme Court, in terms of protecting the interest of northern elites, would be to overturn the elections and designate Buhari the winner. Hama told Poloff he worries that no matter what the Supreme Court decision, it will likely be met with violence and he maintained that a military coup remains a serious threat. Hama contended that recent reports of internal squabbles within the ANPP over some members' participation in the Government of National Unity (GNU) are now behind the party, with the majority of members clear they want nothing to do with the GNU. He lamented the lack of internal party democracy, including within the ANPP, though he said no senior leaders in any of the parties are interested in changing the status quo. Hama is part of the mid-level party leadership and we believe his opinions, while possibly not informed by direct, frequent meetings with Buhari and other senior party leaders, are indicative of what the working level within the party is thinking. The best guess right now is the Supreme Court could make a decision on the election by the end of year. END SUMMARY.

Supreme Court - Scenarios for Overturning the Election

12. (C) Poloff met with ANPP Presidential Campaign Council Director General Sule Hama on November 28 to discuss General Buhari's appeal to the Supreme Court, ANPP preparations for a possible rerun of the presidential elections, and internal party politics. With regard to the Supreme Court decision on the 2007 Presidential election, Hama maintained the Supreme Court has several options if it overturns the election. Firstly, the Court could simply overturn the election and call for a rerun. Secondly, it could overturn and stipulate conditions under which a rerun election should be held. And thirdly, the Court could overturn and decide that enough evidence was presented that it could declare Buhari the winner.

13. (C) Hama contended to Poloff that the "worst" of these

three scenarios would be a decision without announcing a winner or putting stipulations on the conduct of rerun elections. He noted Senate President David Mark's "political ambitions" and worried that Mark would be "in the right" to ask for a six month extension to prepare for the elections, noting that neither the ANPP nor the international community could object to the request as there has been no electoral reform to address the underlying problems from the 2007 poll.

He contended Mark would then use the extended time not to prepare for elections, but rather to shore up his own claim to power (or at least to be the PDP candidate in place of Yar'Adua); Hamma claimed Mark would push for constitutional changes if necessary to stay in power. This scenario, he noted, was clearly not in the interest of the northern elite -- who want power to stay in the north. He raised the spectre of a military coup if Mark were seen as maneuvering to stay in office extralegally.

14. (C) At a minimum, Hamma contended the Court should place specific conditions on rerun elections in its decision. He recognized the separation of powers, he insisted, but the Court should stipulate the dissolution of INEC -- the incompetence and/or corruption of which was blamed for the chaos of the 2007 election -- and its reconstitution with representatives from all political parties, its reform to make it truly independent of the executive, and a rethinking of how results are announced. The "smart" scenario he contended, at least from the perspective of the northern elite's interests, would be for the Court to pronounce Buhari the winner of the 2007 elections. Hamma maintained there was enough evidence that Buhari actually won the polls in enough

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states to make this a possibility. (Comment: We doubt that this is actually the view of most members of the northern elite, and question whether Buhari could be reasonably judged the winner, as this would require him to have won both an overall majority and at least 25% of the vote in two-thirds of the states. End comment.)

15. (C) Whether the Supreme Court overturns the elections or not, Hamma told Poloff he believes violence and chaos will follow the announcement. He contended that a military coup remains a strong possibility if the Court upholds the elections. Regarding timing of the Supreme Court announcement, Hamma felt Friday afternoon prior to the long weekend of the December 8-9 Eid-el-Adha holidays would be a "good time for an announcement" as government agencies and press would be on reduced staff and the public focused on the holidays. That said, he also worried that the long Eid holiday would be a perfect time for a coup (for much the same reasons) and believed the Court may specifically choose to delay the announcement past then. (Comment: we have seen no/no evidence of an imminent coup. End comment.)

16. (C) Hamma said the ANPP is not currently making contingency plans for another election. He maintained that the "political machinery" was still in place, with no major changes to the ANPP party structure since the April 2007 elections. With the same candidate and the existing structure, Hamma said they could quickly mobilize for fresh polls. (Note: General Buhari told PolCouns the same in their November 23 meeting. Reftel.)

Internal ANPP Dynamics - PDP Failed to Undermine ANPP

17. (C) Hamma contended that recent reports of dissention within the ANPP and disagreement over the acceptance by some ANPP members of positions within the Government of National Unity (GNU) were not a significant concern. According to Hamma, the PDP created the GNU to try to fragment and break up the ANPP and Action Congress (AC), the main "opposition" political parties, by attaching key members into alliances with the ruling party. Hamma pointed to the report of the ANPP National Reconciliation Committee, which concluded that a majority of ANPP members oppose the GNU and do not want the

party to be seen as an ally of the PDP. Those within the party that have joined the GNU, Hamma contended, have been sent a strong message that they should either resign from the GNU or they will be removed from the ANPP. The PDP, he told Poloff, "has failed to destroy us."

18. (C) Despite his clear allegiance to the ANPP, Hamma told Poloff he is disappointed that there is no internal party democracy (in ANPP or any of the other parties) and that the senior leadership is not interested in changing the status quo. He claimed he is in touch with others in the AC and PDP who also recognize the need for internal democracy, but none can get the senior leadership onboard. Hamma blamed the cronyism brought about as a result of the lack of internal party democracy as a key factor in the rampant corruption and poor governance in Nigeria.

Comment

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19. (C) Comment. We find Hamma to be a credible source for insights into the working levels of the ANPP. We do not believe he has regular, direct access to General Buhari, but we know he is close to Buhari's Presidential Campaign Secretary, Buba Galadima. His comments about the likelihood of a military coup seem not in keeping with what we hear from military contacts and what we know of the large scale retirements from the senior military ranks carried out by both Obasanjo and Yar'Adua. We find it encouraging that there are mid-level leaders within the ANPP and other political parties who recognize both the need for internal democracy and the harm that the current cronyism brings. End Comment.

This cable coordinated with Consulate Lagos.
Sanders